



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

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In the Matter of the  
Application of the

TRANSPORT WORKERS UNION  
OF AMERICA, AFL-CIO

alleging a representation dispute  
pursuant to Section 2, Ninth, of  
the Railway Labor Act, as  
amended

involving employees of

US AIRWAYS/AMERICA WEST  
AIRLINES

33 NMB No. 48

CASE NO. R-7093

FINDINGS UPON  
INVESTIGATION-  
DETERMINATION OF  
CERTIFICATION

July 13, 2006

This determination addresses the representation consequences of the application filed by Transport Workers Union of America, AFL-CIO (TWU) for the craft or class of Flight Dispatchers, employees of US Airways.

The Board finds that the TWU is the certified representative of Flight Dispatchers in the single transportation system. Therefore, the Board extends the TWU's certification issued in NMB Case No. R-6022 to include all the Flight Dispatchers on the US Airways system.

PROCEDURAL BACKGROUND

On March 22, 2006, the TWU filed an application alleging a representation dispute involving the Flight Dispatchers. The TWU asserted that US Airways, Inc. (East) and America West Airlines, Inc. (West) (collectively the Carriers) are operating as a single transportation system known as US Airways. The application was assigned NMB File No. CR-6899.

On June 5, 2006, the Board determined that East and West operate as a single transportation system for representation purposes and docketed the TWU's application for Flight Dispatchers as NMB Case No. R-7093. *US Airways/America West Airlines*, 33 NMB 221 (2006). Pursuant to the Board's Representation Manual (Manual) Section 19.6, this investigation addresses the representation of the proper craft or class.

The Board's June 5, 2006, determination stated that the TWU "has 14 days from the date of this determination to support its application with [a] showing[ ] of interest of at least 35 percent of the craft[ ] or class[ ] of the single transportation system in accordance with Manual Sections 19.601 - 19.603." *US Airways, above*, at 240.

On June 19, 2006, the TWU submitted proof of representation of 100 percent of the system in the form of a copy of the existing TWU-East collective bargaining agreement (CBA) for the Flight Dispatchers craft or class and a copy of the TWU-West CBA for the Flight Dispatchers craft or class. The TWU requested that the Board certify it as the representative of the post-merger craft or class of Flight Dispatchers.

#### STATEMENTS OF FACT

At East, the Flight Dispatchers are represented by the TWU pursuant to Board certification in Case No. R-6022. The Flight Dispatchers at West also are represented by the TWU, pursuant to Board certification in Case No. R-6472. Accordingly, TWU represents the 148 East employees and the 37 West employees covered by this application.

#### DISCUSSION

In this case, the TWU already represents all of the employees covered by its application. The Board has consistently extended an organization's certification to cover employees in the craft or class on the entire system even when the applicant does not represent all of the employees, but the numbers of employees on each part of the system are not

comparable. For example, in *Continental Airlines/Continental Express*, 20 NMB 582 (1993), the Board extended the certification of an incumbent which represented 6,994 Flight Attendants to include 423 unrepresented Flight Attendants. See also *American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 260 (2002); *Continental Airlines/Continental Express*, 20 NMB 580 (1993); *SAHSA/TAN*, 19 NMB 17 (1991); *Air Wisconsin, Inc./Aspen Airways, Inc.*, 18 NMB 336 (1991); *Alaska Airlines, Inc./Jet America, Inc.*, 15 NMB 42 (1987).

The Board finds that the number of TWU-represented Flight Dispatchers on East and TWU-represented Flight Dispatchers on West are not comparable.

### CONCLUSION

The Board finds that the TWU is the certified representative of the entire craft or class of Flight Dispatchers in the single transportation system. The TWU's certification in NMB Case No. R-6022 is extended to cover the entire craft or class of Flight Dispatchers on the combined US Airways system. The Board extinguishes the TWU's certification issued in NMB Case No. R-6472. Accordingly, NMB Case No. R-7093 is closed.

By direction of the NATIONAL MEDIATION BOARD.



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